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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,932	03/30/2004	Peter E. Hart	20412-08383	7930
758	7590	07/12/2006	EXAMINER	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			THOMPSON, JAMES A	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/814,932

Applicant(s)

HART ET AL.

Examiner

James A. Thompson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 May 2006 and 17 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/17/06</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments, see page 11, lines 11-20, filed 04 May 2006, with respect to the objections to the specification have been fully considered and are persuasive. The objections to the specification listed in item 2 of the previous office action, dated 29 January 2006 and mailed 08 February 2006, has been withdrawn.

2. Applicant's arguments, see page 12, line 1-11, filed 04 May 2006, with respect to the rejections under 35 USC §112, 2<sup>nd</sup> paragraph have been fully considered and are persuasive. The rejections under 35 USC §112, 2<sup>nd</sup> paragraph listed in items 9-11 of said previous office action have been withdrawn.

3. Applicant's arguments filed 04 May 2006 have been fully considered but they are not persuasive.

Regarding page 12, line 13 to page 13, line 16: Sugiyama (US Patent 5,633,723) teaches an interface (figure 1(11) of Sugiyama) for receiving the time-based media from a media source (column 3, lines 12-17 of Sugiyama); and a multimedia processing system (figure 1(12-16,26,28-29) of Sugiyama) coupled to the interface to receive the time-based media (as clearly shown in figure 1 of Sugiyama), as clearly set forth in said previous office action. Constantin (US Patent Application Publication 2003/0002068 A1) has not been relied upon to teach that the multimedia processing system is coupled to the interface, as alleged by Applicant. Constantin is relied upon to teach that the printing sub-system is physically coupled to an interface

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(para. 26, lines 14-20 of Constantin), as clearly set forth in said previous office action. Thus, by combination, the limitations disputed by Applicant are in fact taught by the references. Applicant appears to be attempting a piecemeal analysis of the references by requiring that either Sugiyama or Constantin alone fully teach the limitations regarding the interface. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding page 13, line 17 to page 15, line 5: Examiner has in no way engaged in improper hindsight reconstruction. The mere fact that the word "video" does not appear in Constantin is not relevant since Constantin was not relied upon to teach video data. Furthermore, motivations/suggestions to combine Sugiyama and Constantin are clearly set forth in said previous office action. Examiner clearly stated, "The motivation for doing so would have been to be able to automatically control the routing and processing of documents that are converted into digital format (para. 9, lines 1-8 of Constantin), which is clearly advantageous over having to manually control the digital data input. A further suggestion for combining would have been that the interface of Sugiyama requires a video signal input in order to have data upon which to operate. The printing sub-system of Constantin simply provides the required video signal" [see page 8, lines 8-16 of said previous office action]. In other words, with respect to the suggestion for combining, the sub-system of Constantin provides the signal that is required in the interface of Sugiyama. By combination, that signal would be a video

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signal. Again, by focusing solely on Constantin, Applicant ignores the combination that has been made. Additionally, there is a motivation to combine that comes directly from the Constantin reference itself (para. 9, lines 1-8 of Constantin). This motivation has not been addressed or even acknowledged by Applicant. There is also a further suggestion for combining the references that was given in said previous office action. Applicant is reminded that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation comes directly from one of the references; and the suggestion, being of such a simple nature and readily understood by one of ordinary skill in the art at the time of the invention, comes from the knowledge generally available to one of ordinary skill in the art.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

**Regarding page 15, lines 6-13:** The combination of references would not result in two separate interfaces. Applicant is merely speculating and trying to form a different combination than the one set forth by Examiner. Applicant is ignoring the actual combination set forth by Examiner in said previous office action. Simply because Applicant believes there is a different way that one of ordinary skill in the art might be able to combine the references does not negate the combination set forth by Examiner. Furthermore, when combining references, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). The fact that the references may have also suggested something additionally to Applicant does not in any way mean that the combination set forth by Examiner is invalid.

**Regarding page 15, lines 14-20:** Since claims 1 and 41 have been demonstrated to be taught by the prior art, claims 2-3, 16, 21, 24-25, 42 and 47 cannot therefore be considered allowable due to their respective dependencies from claims 1 and 41.

**Regarding page 16, lines 1-22:** Since claims 1 and 41 have been demonstrated to be taught by the prior art, claims 4-15, 17-20, 22-23, 26-40, 43-46 and 48-49 cannot therefore be considered allowable due to their respective dependencies from claims 1 and 41.

**Regarding page 17, lines 1-7:** In this section, Applicant is merely making a broad allegation of patentability. Applicant does not specifically point out how the language of the claims patentably distinguishes them from the references.

**Regarding page 17, lines 8-22:** Again, Applicant is attempting a piecemeal analysis of the references. Huberman (US

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Patent 6,115,718) is not relied upon to teach the interface or the multi-media processing system. The interface and multi-media processing system are taught by the combination of Sugiyama and Constantin. Huberman is relied upon to teach "generating a web page representation of multi-media data (column 3, lines 30-38 of Huberman)" [see page 30, lines 5-9 of said previous office action]. The full recitation of claim 27 is taught by the combination of Sugiyama, Constantin and Huberman, as clearly set forth on page 30 of said previous office action. Again, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding page 18, lines 1-8: The prior art rejections are maintained and are made final in this action.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 16, 21, 24, 25, 41, 42 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1).

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**Regarding claims 1 and 41:** Sugiyama discloses a system (figure 1 of Sugiyama) for printing (column 6, lines 19-26 of Sugiyama) time-based media data from a media source (column 3, lines 12-17 of Sugiyama), the system comprising an interface (figure 1(11) of Sugiyama) for receiving the time-based media from a media source (column 3, lines 12-17 of Sugiyama); a multimedia processing system (figure 1(12-16,26,28-29) of Sugiyama) coupled to the interface to receive the time-based media (as clearly shown in figure 1 of Sugiyama), the multimedia processing system determining (column 3, lines 57-63 of Sugiyama) an electronic representation of the time-based media (figure 4 and column 4, lines 25-31 of Sugiyama); and a first output device (figure 1(18-20) of Sugiyama) in communication with the multimedia processing system to receive the electronic representation (as clearly shown in figure 1 of Sugiyama), the first output device producing a corresponding electronic output from the electronic representation of the time-based media (figure 4 and column 4, lines 30-35 of Sugiyama). The multimedia processing system corresponds to the system shown in figure 1 of Sugiyama that performs the actual processing of the time-based media data. This excludes portions such as the video data interface (figure 1(11) of Sugiyama), the user interface (figure 1(21-25) of Sugiyama), the output printing system (figure 1(30-33) of Sugiyama), and the output display system (figure 1(18-20) of Sugiyama).

Sugiyama does not disclose expressly a printing sub-system for receiving and printing standard document formats, wherein said interface is physically coupled to said printing sub-system.



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Constantin discloses a printing sub-system for receiving and printing standard document formats (para. 26, lines 3-26 of Constantin), wherein said printing sub-system is physically coupled to an interface (para. 26, lines 14-20 of Constantin). Requiring that the document be scanned into computer and/or transmitted electronically to a web, email or network address (para. 26, lines 14-20 of Constantin) inherently requires that said printing sub-system be physically coupled to some sort of interface. Otherwise, there is no means by which the data can be transmitted.

Sugiyama and Constantin are combinable because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include an input from the printing sub-system taught by Constantin into the interface taught by Sugiyama. The interface taught by Sugiyama inputs a general video signal. The input that would be received from the printing sub-system of Constantin is simply a type of video signal to be input into said interface. The motivation for doing so would have been to be able to automatically control the routing and processing of documents that are converted into digital format (para. 9, lines 1-8 of Constantin), which is clearly advantageous over having to manually control the digital data input. A further suggestion for combining would have been that the interface of Sugiyama requires a video signal input in order to have data upon which to operate. The printing sub-system of Constantin simply provides the required video signal. Therefore, it would have been obvious to combine Constantin with Sugiyama to obtain the invention as specified in claims 1 and 41.

Further regarding claim 41: The system of claim 1 performs the method of claim 41.

**Regarding claim 2:** Sugiyama discloses that the multimedia processing system further determines a printed representation of the time-based media data (column 4, lines 35-42 of Sugiyama).

**Regarding claim 3:** Sugiyama discloses a second output device (figure 1(31-33) of Sugiyama) in communication with the multimedia processing system to receive the printed representation (as clearly shown in figure 1 of Sugiyama), the second output device producing a corresponding printed output from the representation of the time-based media (column 4, lines 35-42 of Sugiyama).

**Regarding claim 16:** Sugiyama discloses that the interface comprises a video port (figure 1("Video Signal") and column 3, lines 12-17 of Sugiyama).

**Regarding claims 21 and 47:** Sugiyama discloses that the media source comprises a video camcorder (column 3, lines 12-15 of Sugiyama).

**Regarding claim 24:** Sugiyama discloses that said multimedia processing system comprises a video stream processor (figure 1(15) and column 3, lines 26-32 of Sugiyama).

**Regarding claim 25:** Sugiyama discloses that the multimedia processing system comprises a video key frames extractor (figure 1(12) and column 3, lines 20-29 of Sugiyama).

**Regarding claim 42:** Sugiyama discloses determining a printed representation of the time-based media (column 4, lines 35-42 of Sugiyama); and generating a corresponding printed output from the printed representation of the time-based media (column 4, lines 35-42 of Sugiyama).

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6. Claims 4-6, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Wendelken (US Patent 6,193,658 B1).

Regarding claim 4: Sugiyama in view of Constantin does not disclose expressly that the printed output is generated on a video paper.

Wendelken discloses generating a printed output on video paper (column 6, lines 32-34 of Wendelken).

Sugiyama in view of Constantin is combinable with Wendelken because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to specifically use video paper for the output print, as taught by Wendelken. The motivation for doing so would have been that video paper is one of several useful means for generating a permanent record of video image data (column 6, lines 32-34 of Wendelken). Therefore, it would have been obvious to combine Wendelken with Sugiyama in view of Constantin to obtain the invention as specified in claim 4.

Regarding claims 5 and 43: Sugiyama in view of Constantin does not disclose expressly that the electronic output is stored on a media recorder.

Wendelken discloses storing an electronic output on a media recorder (column 6, lines 32-34 of Wendelken).

Sugiyama in view of Constantin is combinable with Wendelken because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a

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person of ordinary skill in the art to store the electronic output on a media recorder, as taught by Wendelken. The motivation for doing so would have been to be able to keep a permanent record of the video image data (column 6, lines 32-34 of Wendelken). Therefore, it would have been obvious to combine Wendelken with Sugiyama in view of Constantin to obtain the invention as specified in claims 5 and 43.

**Regarding claims 6 and 44:** Sugiyama in view of Constantin does not disclose expressly that the electronic output is stored on a removable storage device.

Wendelken discloses storing an electronic output on a removable storage device (column 6, lines 32-34 of Wendelken). Video tapes and optical discs are clearly removable storage devices.

Sugiyama in view of Constantin is combinable with Wendelken because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to store the electronic output on a removable storage device, as taught by Wendelken. The motivation for doing so would have been to be able to keep a permanent record of the video image data (column 6, lines 32-34 of Wendelken). Further, as is well-known in the art, using a *removable* storage device allows a user to switch recording devices, thus increasing the overall amount of data that can be stored and archived. Therefore, it would have been obvious to combine Wendelken with Sugiyama in view of Constantin to obtain the invention as specified in claims 6 and 44.

7. Claims 7 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1), Wendelken (US Patent 6,193,658 B1), Hymel (US Patent Application Publication 2003/0220988 A1) and Shieh (US Patent Application Publication 2002/0185533 A1).

Further regarding claims 7 and 45: Wendelken discloses that said removable storage device (taught by Wendelken in the arguments regarding claims 6 and 44 above) is selected from one of a video tape and an optical disc (column 6, lines 32-34 of Wendelken).

Sugiyama in view of Constantin and Wendelken does not disclose expressly that the optical disc can specifically be either a DVD or a CD-ROM. Thus, Wendelken does not disclose expressly that the group from which said removable storage device is selected consists of not only a video tape, but also a DVD, a CD-ROM, an audio cassette tape, a flash card, a memory stick, and a computer disk.

Hymel discloses a removable storage device selected from among a video tape (as is well-known in the art, a digital camcorder uses a digital video (DV) cassette tape) (para. 10, lines 14-15 and line 20 of Hymel), a DVD (para. 10, lines 14-15 and lines 20-21 of Hymel), a CD-ROM (para. 10, lines 14-15 and lines 19-20 of Hymel), an audio cassette tape (audio cassette tape reader is a type of audio player, MP3 player is merely an example) (para. 10, lines 14-15 and line 19 of Hymel), and a computer disk (para. 19, lines 8-9 of Hymel).

Sugiyama in view of Constantin and Wendelken is combinable with Hymel because they are from similar problem solving areas, namely the control of data storage and output. At the time of

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the invention, it would have been obvious to a person of ordinary skill in the art to have available for selection a video cassette tape, a DVD, a CD-ROM, an audio cassette tape, and a computer disk. The motivation for doing so would have been to allow a user to connect a variety of different types of peripheral devices to an overall system, thus allowing the user to perform a variety of functions (para. 2, lines 1-6 of Hymel). Therefore, it would have been obvious to combine Hymel with Sugiyama in view of Constantin and Wendelken.

Sugiyama in view of Constantin, Wendelken and Hymel does not disclose expressly that said group consists not only of a DVD, a CD-ROM, an audio cassette tape, a video tape, and a computer disk, but also a flash card and a memory stick.

Shieh discloses removable storage devices including a flash card (para. 18, lines 1-5 of Shieh) and a memory stick (para. 18, lines 9-10 of Shieh).

Sugiyama in view of Constantin, Wendelken and Hymel is combinable with Shieh because they are from similar problem solving areas, namely the control of data storage and output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have available for selection a flash card and a memory stick, as taught by Shieh. The motivation for doing so would have been to allow the user to output data to one of a plurality of different output devices, depending upon user need and desire (para. 18, lines 3-10 of Shieh). Therefore, it would have been obvious to combine Shieh with Sugiyama in view of Constantin, Wendelken and Hymel to obtain the invention as specified in claims 7 and 45.

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8. Claims 8 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Chino (US Patent 6,118,888).

Regarding claim 8: Sugiyama in view of Constantin does not disclose expressly that the interface comprises an ultrasonic pen capture device.

Chino discloses an ultrasonic pen capture device (figure 3 (102i) and column 7, lines 14-16 of Chino).

Sugiyama in view of Constantin is combinable with Chino because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to capture input data using an ultrasonic pen capture device, as taught by Chino. The suggestion for doing so would have been that an electronic pen is simply another useful output device that provides digital data a user may wish to obtain (figure 3 and column 6, lines 66-67 of Chino). Therefore, it would have been obvious to combine Chino with Sugiyama in view of Constantin to obtain the invention as specified in claim 8.

Regarding claim 38: Sugiyama in view of Constantin does not disclose expressly that said multi-media processing system comprises an image detection system.

Chino discloses an image detection system (figure 1(101) and column 6, lines 36-40 of Chino).

Sugiyama in view of Constantin is combinable with Chino because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a

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person of ordinary skill in the art to include the image detection system taught by Chino as part of the overall multimedia processing system. The motivation for doing so would have been that detecting an image, in this case specific types of gazes, provides useful user input (column 6, lines 36-40 of Chino). Therefore, it would have been obvious to combine Chino with Sugiyama in view of Constantin to obtain the invention as specified in claim 38.

**Regarding claim 39:** Sugiyama in view of Constantin does not disclose expressly that said multi-media processing system comprises a face recognition system.

Chino discloses a face recognition system (figure 20(406) and column 24, lines 25-27 of Chino).

Sugiyama in view of Constantin is combinable with Chino because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the face recognition system taught by Chino as part of the overall multimedia processing system. The motivation for doing so would have been to determine which particular user corresponds to the current user by recognition of the current user's face (column 26, lines 20-22 of Chino). Therefore, it would have been obvious to combine Chino with Sugiyama in view of Constantin to obtain the invention as specified in claim 39.

**Regarding claim 40:** Sugiyama in view of Constantin does not disclose expressly that said multimedia processing system comprises a speech recognition system.

Chino discloses a speech recognition system (column 29, lines 45-47 of Chino).



Sugiyama in view of Constantin is combinable with Chino because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the speech recognition system taught by Chino as part of the overall multimedia processing system. The motivation for doing so would have been that human speech is a useful and natural form of user input (column 1, lines 15-18 of Chino). Therefore, it would have been obvious to combine Chino with Sugiyama in view of Constantin to obtain the invention as specified in claim 40.

9. Claims 9, 11, 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Shieh (US Patent Application Publication 2002/0185533 A1).

Regarding claim 9: Sugiyama in view of Constantin does not disclose expressly that said interface comprises a parallel port.

Shieh discloses as part of the background an input interface that comprises a parallel port (para. 5, lines 7-8 of Shieh).

Sugiyama in view of Constantin is combinable with Shieh because they are from similar problem solving areas, namely the control of data storage and output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a parallel port for inputting the video data at said interface. The motivation for doing so would have been that parallel ports are compatible with flash card readers and the older 12 Mbit/sec computer equipment (para. 5, lines 1-9 of

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Shieh). Thus, using a parallel port is useful if older video and/or computer equipment is being used. Therefore, it would have been obvious to combine Shieh with Sugiyama in view of Constantin to obtain the invention as specified in claim 9.

**Regarding claims 11-12:** Sugiyama in view of Constantin does not disclose expressly that said interface comprises a serial interface, wherein said serial interface is an USB interface.

Shieh discloses an interface comprising a serial interface, wherein said serial interface is an USB interface (figure 2 and para. 17, lines 12-15 of Shieh).

Sugiyama in view of Constantin is combinable with Shieh because they are from similar problem solving areas, namely the control of data storage and output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a USB interface for inputting the video data at said interface. The motivation for doing so would have been to provide an increased data transfer rate, as compared with the older types of data transfer ports (para. 5, lines 7-12 of Shieh). Therefore, it would have been obvious to combine Shieh with Sugiyama in view of Constantin to obtain the invention as specified in claims 11-12.

**Regarding claim 18:** Sugiyama in view of Constantin does not disclose expressly that said interface comprises a removable storage reader.

Shieh discloses an interface comprising a removable storage reader (para. 17, lines 1-3 of Shieh).

Sugiyama in view of Constantin is combinable with Shieh because they are from similar problem solving areas, namely the control of data storage and output. At the time of the inven-

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tion, it would have been obvious to a person of ordinary skill in the art to use a removable storage reader as part of the interface, as taught by Shieh. The suggestion for doing so would have been that flash memory is applicable to various digital products (para. 5, lines 12-14 of Shieh). Therefore, it would have been obvious to combine Shieh with Sugiyama in view of Constantin in view of Constantin to obtain the invention as specified in claim 18.

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Stevens (US Patent Application Publication 2002/0010641 A1).

Regarding claim 10: Sugiyama in view of Constantin does not disclose expressly that said interface comprises a wireless communication interface.

Stevens discloses an video data interface comprising a wireless communication interface (figure 3(110) and para. 36, lines 1-8 of Stevens).

Sugiyama in view of Constantin is combinable with Stevens because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a wireless communication interface as said interface, as taught by Stevens. The motivation for doing so would have been to allow users to retrieve desired distributions of audio and video data over a controlled broadcast (para. 4, lines 1-5 of Stevens). Therefore, it would have been obvious to combine Stevens with Sugiyama in view of Constantin to obtain the invention as specified in claim 10.

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11. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Leman (US Patent 5,436,792).

Regarding claims 13-14: Sugiyama in view of Constantin does not disclose expressly that said interface comprises a docking station that is built into the system.

Leman discloses a docking station (column 3, lines 31-38 of Leman) that is built into the system (column 5, lines 53-61 of Leman).

Sugiyama in view of Constantin is combinable with Leman because they are from similar problem solving areas, namely the control of digital data output and flow. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a docking station built into the system, as taught by Leman, as part of the interface taught by Sugiyama. The motivation for doing so would have been that a docking station provides ease of connection and disconnection with external devices and peripherals (column 2, lines 6-11 of Leman). Therefore, it would have been obvious to combine Leman with Sugiyama in view of Constantin to obtain the invention as specified in claims 13-14.

12. Claims 15, 20, 22, 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Hymel (US Patent Application Publication 2003/0220988 A1).

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**Regarding claim 15:** Sugiyama in view of Constantin does not disclose expressly that said interface comprises an optical port.

Hymel discloses an interface that comprises an optical (infrared) port (para. 10, lines 13-14 of Hymel).

Sugiyama in view of Constantin is combinable with Hymel because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use an optical port as part of said interface. The suggestion for doing so would have been that an optical port is one of many types of useful data ports for transferring digital data (para. 10, lines 3-14 of Hymel). Therefore, it would have been obvious to combine Hymel with Sugiyama in view of Constantin to obtain the invention as specified in claim 15.

**Regarding claims 20 and 46:** Sugiyama in view of Constantin does not disclose expressly that said media source comprises a cellular phone.

Hymel discloses a media source comprising a cellular phone (para. 10, lines 3-5 and lines 14-15 of Hymel).

Sugiyama in view of Constantin is combinable with Hymel because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a cellular phone as the media source. The suggestion for doing so would have been that a cellular phone is one of many types of useful media data input devices that can be used (para. 10, lines 14-22 of Hymel). Therefore, it would have been obvious to combine Hymel with

Sugiyama in view of Constantin to obtain the invention as specified in claims 20 and 46.

**Regarding claims 22 and 48:** Sugiyama in view of Constantin does not disclose expressly that the media source comprises a digital audio recorder.

Hymel discloses a media source comprising a digital audio recorder (para. 10, lines 14-15 and line 19 of Hymel).

Sugiyama in view of Constantin is combinable with Hymel because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a digital audio recorder as the media source. The motivation for doing so would have been to allow a user to connect another one of a variety of different types of peripheral devices, thus allowing the user to perform one more of a variety of functions (para. 2, lines 1-6 of Hymel). Therefore, it would have been obvious to combine Hymel with Sugiyama in view of Constantin to obtain the invention as specified in claims 22 and 48. .

13. Claims 17, 28-30 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Dygert (US Patent Application Publication 2002/0048224 A1) .

**Regarding claim 17:** Sugiyama discloses that the interface comprises a port for connecting to the peripheral device, the port selected from a group including composite video (luminance and chrominance signals) (column 3, lines 16-20 of Sugiyama) and component video (NTSC) (column 3, lines 12-14 of Sugiyama).

Sugiyama in view of Constantin does not disclose expressly that said group consists of not only composite video and component video, but also of SCSI, IDE, RJ11 and S-video.

Dygert discloses a port for connecting a peripheral device selected from one of SCSI (para. 50, lines 1-5 of Dygert), IDE (para. 50, lines 1-5 of Dygert), RJ11 (para. 27, lines 6-9 of Dygert) and S-video (para. 50, lines 9-15 of Dygert).

Sugiyama in view of Constantin is combinable with Dygert because they are from the same field of endeavor, namely the control, processing and output of digital multimedia data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to be able to further select between SCSI, IDE, RJ11 and S-video ports. The suggestion for doing so would have been that said ports are among some of the many available types of ports for transferring time-based media data (para. 27, lines 3-9 and para. 50, lines 1-6 of Dygert). Therefore, it would have been obvious to combine Dygert with Sugiyama in view of Constantin to obtain the invention as specified in claim 17.

**Regarding claims 28-29:** Sugiyama in view of Constantin does not disclose expressly that said multimedia processing system is configured to communicate with the media source.

Dygert discloses a multimedia processing system (figure 1 (10) of Dygert) that communicates with a media source (figure 1 (13); and para. 44, lines 1-2, lines 7-9 and lines 12-15 of Dygert), thus controlling the functionality of said media source (para. 44, lines 1-2, lines 7-9 and lines 12-15 of Dygert).

Sugiyama in view of Constantin is combinable with Dygert because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At

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the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the multimedia processing system communicatively interact with the media source, as taught by Dygert. The motivation for doing so would have been to be able to access a large, remote recording database (para. 11, lines 1-4 of Dygert) instead of having to store the entire digital media collection locally. Therefore, it would have been obvious to combine Dygert with Sugiyama in view of Constantin to obtain the invention as specified in claims 28-29.

**Regarding claim 30:** Sugiyama in view of Constantin does not disclose expressly that the multimedia processing system resides at least in part on the media source.

Dygert discloses performing multimedia processing operations on the media source (para. 44, lines 7-9 and lines 12-15 of Dygert). Thus, the multimedia processing system resides at least in part on the media source.

Sugiyama in view of Constantin is combinable with Dygert because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to operate the multimedia processing system at least partly on the media source, as taught by Dygert. The motivation for doing so would have been to be able to access a large, remote recording database (para. 11, lines 1-4 of Dygert) instead of having to store the entire digital media collection locally. Therefore, it would have been obvious to combine Dygert with Sugiyama in view of Constantin to obtain the invention as specified in claim 30.



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**Regarding claim 33:** Sugiyama in view of Constantin does not disclose expressly that the interface comprises a database server.

Dygert discloses an interface (figure 1(28) of Dygert) comprising a database server (figure 1(13) and para. 27, lines 9-16 of Dygert).

Sugiyama in view of Constantin is combinable with Dygert because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a database server as part of said interface, as taught by Dygert. The motivation for doing so would have been to be able to access a large, remote recording database (para. 11, lines 1-4 of Dygert) instead of having to store the entire digital media collection locally. Therefore, it would have been obvious to combine Dygert with Sugiyama in view of Constantin to obtain the invention as specified in claim 33.

**Further regarding claim 34:** Dygert discloses that said database server comprises a music catalog (figure 5 and para. 22, lines 1-4 of Dygert).

**Further regarding claim 35:** Dygert discloses that said database server comprises a video database (para. 22, lines 1-4 of Dygert).

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14. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1), Shieh (US Patent Application Publication 2002/0185533 A1), Hymel (US Patent Application Publication 2003/0220988 A1), and Gerber (US Patent 5,568,406).

Further regarding claim 19: Shieh discloses that the removable storage reader comprises a media reader selected from a group, wherein two of said group is a flash card reader (para. 16, lines 1-3 of Shieh) and a memory stick reader (para. 18, lines 9-10 of Shieh).

Sugiyama in view of Constantin and Shieh does not disclose expressly that said group consists of not only a flash card reader, and a memory stick reader, but also a DVD reader, a CD reader, a computer disk reader, and an SD reader.

Hymel discloses a removable storage reader selected from among a DVD reader (para. 10, lines 14-15 and lines 20-21 of Hymel), a CD reader (para. 10, lines 14-15 and lines 19-20 of Hymel), and a computer disk reader (para. 19, lines 8-9 of Hymel).

Sugiyama in view of Constantin and Shieh is combinable with Hymel because they are from similar problem solving areas, namely the control of data storage and output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have available for selection a DVD reader, a CD reader, and a computer disk reader, as taught by Hymel. The motivation for doing so would have been to allow a user to connect a variety of different types of peripheral devices to an overall system, thus allowing the user to perform a variety of functions (para. 2, lines 1-6 of Hymel). There-

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fore, it would have been obvious to combine Hymel with Sugiyama in view of Constantin and Shieh.

Sugiyama in view of Constantin, Shieh and Hymel does not disclose expressly that said group consists not only of a DVD reader, a flash card reader, a memory stick reader, a CD reader, and a computer disk reader, but also of an SD reader.

Gerber discloses storing digital data on an SD disk (column 10, lines 28-34 of Gerber).

Sugiyama in view of Constantin, Shieh and Hymel is combinable with Gerber because they are from similar problem solving areas, namely the control of data storage and output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have available for selection an SD disk. The motivation for doing so would have been that an SD disk is useful for backing up large amounts of digital data (column 10, lines 23-34 of Gerber). Therefore, it would have been obvious to combine Gerber with Sugiyama in view of Constantin, Shieh and Hymel to obtain the invention as specified in claim 19.

15. Claims 23 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1), Shieh (US Patent Application Publication 2002/0185533 A1), Hymel (US Patent Application Publication 2003/0220988 A1) and Heilweil (US Patent 4,881,135).

Regarding claims 23 and 49: Sugiyama discloses that the media source comprises a media input selected from a group of a video cassette tape reader (column 3, lines 12-15 of Sugiyama), and a video capture device (column 3, lines 12-15 of Sugiyama).

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Sugiyama in view of Constantin does not disclose expressly that said group consists not only of a video cassette tape reader and a video capture device, but also of a DVD reader, a CD reader, an audio cassette tape reader, a flash card reader, a digital video recorder, and a meeting recorder.

Shieh discloses inputting digital media using a flash card reader (para. 16, lines 1-3 of Shieh).

Sugiyama in view of Constantin is combinable with Shieh because they are from similar problem solving areas, namely the control and storage of digital media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have available for selection a flash card reader, as taught by Shieh. The motivation for doing so would have been to allow the user to input data to one of a plurality of different input devices, depending upon user need and desire (para. 18, lines 3-10 of Shieh). Therefore, it would have been obvious to combine Shieh with Sugiyama in view of Constantin.

Sugiyama in view of Constantin and Shieh does not disclose expressly that said group consists not only of a video cassette tape reader, a video capture device, and a flash card reader, but also of a DVD reader, a CD reader, an audio cassette tape reader, a digital video recorder, and a meeting recorder.

Hymel discloses a media input device selected from among a DVD reader (para. 10, lines 14-15 and lines 20-21 of Hymel), a CD reader (para. 10, lines 14-15 and lines 19-20 of Hymel), an audio cassette tape reader (audio cassette tape reader is a type of audio player, MP3 player is merely an example) (para. 10, lines 14-15 and line 19 of Hymel), and a digital video recorder (para. 10, lines 14-15 and line 20 of Hymel).

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Sugiyama in view of Constantin and Shieh is combinable with Hymel because they are from similar problem solving areas, namely the control of data storage and output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have available for selection a DVD reader, a CD reader, an audio cassette tape reader, and a digital video recorder, as taught by Hymel. The motivation for doing so would have been to allow a user to connect a variety of different types of peripheral devices to an overall system, thus allowing the user to perform a variety of functions (para. 2, lines 1-6 of Hymel). Therefore, it would have been obvious to combine Hymel with Sugiyama in view of Constantin and Shieh.

Sugiyama in view of Constantin, Shieh and Hymel does not disclose expressly that said group consists not only of a DVD reader, a CD reader, an audio cassette tape reader, a video cassette tape reader, a video capture device, a flash card reader, and a digital video recorder, but also of a meeting recorder.

Heilweil discloses media input using a meeting recorder (figure 2 and column 3, lines 48-51 of Heilweil).

Sugiyama in view of Constantin, Shieh and Hymel is combinable with Heilweil because they are from similar problem solving areas, namely the control of data storage and output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have available for selection the meeting recorder taught by Heilweil. The motivation for doing so would have been to provide audio-visual data regarding a conference or a meeting in a concealed or discreet manner (column 2, lines 33-40 of Heilweil). Therefore, it would have been obvious to combine Heilweil with Sugiyama in view of

Constantin, Shieh and Hymel to obtain the invention as specified in claims 23 and 49.

16. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Ohnishi (US Patent 4,807,186).

Regarding claim 26: Sugiyama discloses that the multimedia processing system generates digital printed data (column 4, lines 35-42 of Sugiyama) corresponding to a video segment in the video stream (column 3, lines 26-32 of Sugiyama).

Sugiyama in view of Constantin does not disclose expressly that said digital printed data is specifically a bar code.

Ohnishi discloses printing digital data as a bar code (column 2, lines 56-60 of Ohnishi).

Sugiyama in view of Constantin is combinable with Ohnishi because they are from similar problem solving areas, namely the control, storage and output of digital media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to print a video segment in the video stream, as taught by Sugiyama, as a bar code, as taught by Ohnishi. The suggestion for doing so would have been that a bar code is one of the convenient means by which digital data is stored and later read (column 2, lines 56-62 of Ohnishi). Therefore, it would have been obvious to combine Ohnishi with Sugiyama in view of Constantin to obtain the invention as specified in claim 26.

17. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Huberman (US Patent 6,115,718).

Regarding claim 27: Sugiyama in view of Constantin does not disclose expressly that the multi-media processing system is configured to generate a web page representation of the multi-media.

Huberman discloses generating a web page representation of multimedia data (column 3, lines 30-38 of Huberman). For a web page to exist with multi-media data (column 3, lines 30-38 of Huberman), it is inherent that said web page is generated. Otherwise, said web page would not exist.

Sugiyama in view of Constantin is combinable with Huberman because they are from similar problem solving areas, namely the control, storage and output of digital media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to generate a web page representation of the multi-media, as taught by Huberman. The suggestion for doing so would have been that storing data on the world wide web allows a company, educational institution, or other entity to publicly store and allow others to access digital data. Therefore, it would have been obvious to combine Huberman with Sugiyama in view of Constantin to obtain the invention as specified in claim 27.

18. Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Schroath (US Patent Application Publication 2002/0169849).

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**Regarding claim 31:** Sugiyama in view of Constantin does not disclose expressly that the multi-media processing system is configured to automatically detect a communicative coupling of the media source.

Schroath discloses automatically detecting a communicative coupling of a media source (para. 38, lines 14-18 of Schroath).

Sugiyama in view of Constantin are combinable because they are from the same field of endeavor, namely the control, storage and output of digital media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to configure the multi-media processing system taught by Sugiyama in view of Constantin to automatically detect a communicative coupling of the media source, as taught by Schroath. The motivation for doing so would have been that, by using an automatic detection, digital data can be downloaded without querying the user (para. 38, lines 14-18 of Schroath), thus providing greater convenience for the user and faster downloads for required digital data. Therefore, it would have been obvious to combine Schroath with Sugiyama in view of Constantin to obtain the invention as specified in claim 31.

**Regarding claim 32:** Sugiyama in view of Constantin does not disclose expressly that the multi-media processing system is configured to automatically download multi-media data from the media source.

Schroath discloses automatically downloading digital data from a media source (para. 38, lines 14-18 of Schroath).

Sugiyama in view of Constantin are combinable because they are from the same field of endeavor, namely the control, storage and output of digital media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the



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art to configure the multi-media processing system taught by Sugiyama in view of Constantin to automatically download digital data from a media source, as taught by Schroath, wherein said digital data is the multi-media data taught by Sugiyama in view of Constantin. The motivation for doing so would have been that automatically downloading digital data without querying the user (para. 38, lines 14-18 of Schroath) provides greater convenience for the user and faster downloads for required digital data. Therefore, it would have been obvious to combine Schroath with Sugiyama in view of Constantin to obtain the invention as specified in claim 32.

19. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1), Dygert (US Patent Application Publication 2002/0048224 A1), and Huberman (US Patent 6,115,718).

Regarding claim 36: Sugiyama in view of Constantin and Dygert does not disclose expressly that the database server comprises a web search engine.

Huberman discloses searching with a web search engine (column 8, lines 44-49 of Huberman).

Sugiyama in view of Constantin and Dygert is combinable with Huberman because they are from similar problem solving areas, namely the control, storage and output of digital media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a web search engine as part of the database, as taught by Huberman. The motivation for doing so would have been that a web search engine can lead a user to an appropriate web page containing the data

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desired. Therefore, it would have been obvious to combine Huberman with Sugiyama in view of Constantin and Dygert to obtain the invention as specified in claim 36.

20. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US Patent 5,633,723) in view of Constantin (US Patent Application Publication 2003/0002068 A1) and Klatt (US Patent 4,754,485).

Regarding claim 37: Sugiyama in view of Constantin does not disclose expressly that said multi-media processing system comprises a text-to-speech system.

Klatt discloses a text to speech system (figure 1 and column 3, lines 47-52 of Klatt).

Sugiyama in view of Constantin is combinable with Klatt because they are from the same field of endeavor, namely the control, processing and output of digital multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the text-to-speech system taught by Klatt as part of said multi-media processing system. The motivation for doing so would have been to provide phonetic output for ASCII-based media input (column 1, line 67 to column 2, line 1 of Klatt). Therefore, it would have been obvious to combine Klatt with Sugiyama to obtain the invention as specified in claim 37.

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**Conclusion**

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

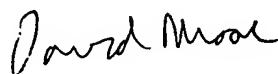
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is 571-272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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06 July 2006



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